

ZB# 89-12

**V.G. Maximus /
Fritz Mars**

70-1-7

Prelim.

3/27/89.

OC PD ~~to be~~
notified - on 4/18/89 ✓

Public Hearing:

May 8, 1989.

Notice to Sentinel

on 4/18/89 ✓

Collect Fee

\$50.00

Area
Variances
Denied.
(Plan mixup)

5/8/89.

#89-12 - Mars / 16 Maximus, Inc. (owner)

- (P.B. file 88-50)

General Receipt

10554

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

May 9 1989

Received of Paul Long/mars \$ 50.00

Fifty and 00 DOLLARS

For ZBA Application Fee - #89-12

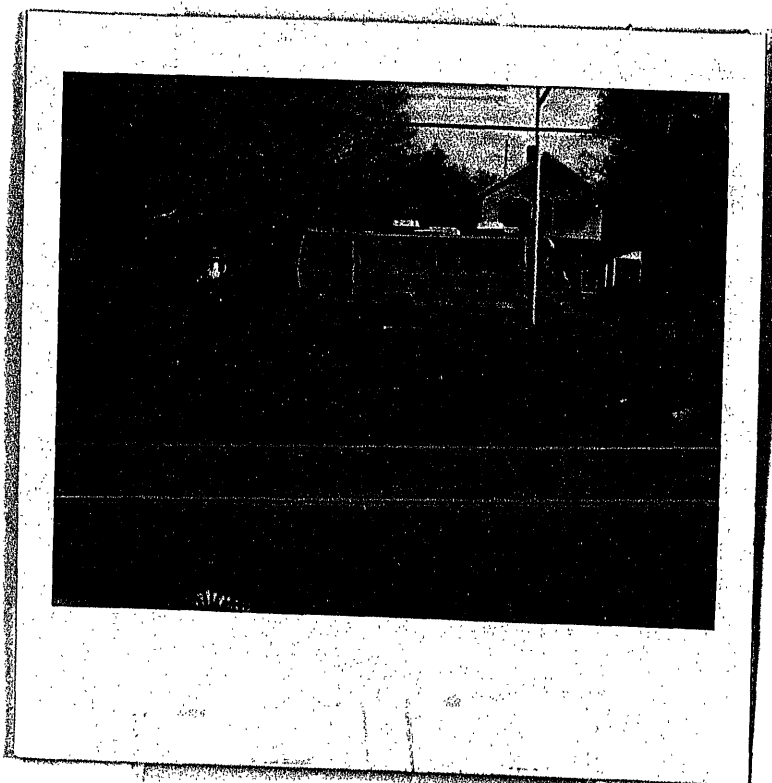
DISTRIBUTION:

FUND	CODE	AMOUNT
CP 2580		50.00

By Pauline G. Townsend es

Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609



file

NEW WINDSOR ZONING BOARD OF APPEALS

-----x

In the Matter of the Application of

DECISION DENYING
AREA VARIANCES

V. G. MAXIMUS and MARS, FRITZ

#89-12.

-----x

WHEREAS, V. G. MAXIMUS, by its owner and agent, Joseph Pisani and FRITZ MARS, Perry Creek Road, Washingtonville, N. Y. 10992 (contract purchaser), have made application before the Zoning Board of Appeals for (1) 480 s.f lot area and (2) 95 ft. lot width for purposes of construction of a retail store and storage area to be located on Route 94, New Windsor, N.Y. in a C zone; and

WHEREAS, a public hearing was held on the 8th day of May, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Paul V. Cuomo, P. E., 478 Union Avenue, New Windsor, N. Y. 12550, appeared in behalf of contract purchaser; and

WHEREAS, the application was opposed by several adjacent property owners; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the bulk regulations for a C zone with regard to lot area and lot width in order to construct a retail store with warehouse as stated above.

3. The applicant failed to present any evidence of significant economic injury from the application of the bulk regulations to his land.

4. The applicant failed to present any evidence of the cost of the parcel compared with its value as zoned.

5. Evidence was presented by several owners of adjoining property that the area already suffers from significant drainage problems and that the proposal construction would aggravate these existing drainage problems.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The evidence presented by applicant failed to prove practical difficulty which would entitle him to variances for more than the allowable lot area and lot width.
2. The evidence presented by the applicant did not show significant economic injury from the application of the bulk regulations to his land.
3. The evidence presented by the applicant did not show any comparison of the cost of the parcel versus its value as zoned.
4. The relief sought by the applicant is substantial in relation to the required bulk regulations.
5. The evidence presented by the adjoining property owners established that the health, safety and general welfare will be served by denying the variance.
6. The evidence presented failed to substantiate the fact that the granting of the variance would not result in substantial detriment to adjoining properties and change the character of the neighborhood.
7. The evidence presented by Applicant failed to substantiate the fact that the requested variances would not produce an effect on the population density or governmental facilities.
8. The evidence presented by Applicant failed to substantiate the fact that Applicant can obtain the necessary results through alternative methods other than the variance procedure.
9. The Applicant failed to produce evidence that the interest of justice would be served by allowing the variances to be granted.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor DENY the above variances sought by Applicant.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: June 26, 1989.

James E. Hargett Jr.
Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

89-12

Date: 4/13/89

I. Applicant Information:

- (a) V.G. MAXIMUS, Blooming Grove Tpk., New Windsor, NY x
(Name, address and phone of Applicant) (Owner)
- (b) MARS, FRITZ, Perry Creek Rd., Washingtonville, NY 10992
(Name, address and phone of purchaser or lessee)
- (c) n/a
(Name, address and phone of attorney)
- (d) Capicchioni Realtors, 316 Blooming Grove Tpk., New Windsor, NY
(Name, address and phone of broker) Stuart Z. Ullman

II. Application type:

- | | |
|---|---|
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Sign Variance |
| <input checked="" type="checkbox"/> Area Variance | <input type="checkbox"/> Interpretation |

III. Property Information:

- (a) C NYS Rt. 94-West of Marshall Dr. 70-1-7 39,520 s.f.
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? _____
- (e) Has property been subdivided previously? n/a When? -
- (f) Has property been subject of variance or special permit previously? No When? -
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a
- _____

IV. Use Variance: n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Cols. C,D,F,I.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>40,000 s.f.</u>	<u>39,520 s.f.</u>	<u>480 s.f.</u>
Min. Lot Width <u>200 ft.</u>	<u>105 ft.</u>	<u>95 ft.</u>
Reqd. Front Yd.		
Reqd. Side Yd. <u>30 / 70 ft.</u>	<u>30 / 60 ft.</u>	<u>0 / 10 ft.</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt. <u>4"/ft.=10 ft.</u>	<u>23 ft.</u>	<u>13 ft.</u>
Min. Floor Area*		
Dev. Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

The measure of relief sought by applicant is not substantial in nature. Applicant has 39,520 s.f. and is requesting a minute 480 s.f. lot area; Applicant has 105 ft. lot width and is requesting only 95 ft. lot width variance. None of the requested variances would have any effect of increasing population density nor will there be a substantial change in the character of the neighborhood which is commercial in nature. There is no other feasible method for Applicant to

VI. Sign Variance: pursue other than a variance.

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	<u>sq.ft.</u>	<u>sq.ft.</u>	<u>sq.ft.</u>

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Applicant is proposing a retail autoparts store known as Headmasters with storage area and warehouse to the rear located in a C (Design Shopping Center) zone. Applicant is proposing to remove the existing structure to make room for the new construction. Parking area was scaled down to conform to the fire codes.

IX. Attachments required:

- x Copy of letter of referral from Bldg./Zoning Inspector.
x Copy of tax map showing adjacent properties.
x Copy of contract of sale, lease or franchise agreement.
x Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
n/a Copy(ies) of sign(s) with dimensions.
x Check in the amount of \$50.00 payable to TOWN OF NEW WINDSOR.
x Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 3/28/89

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Joseph Pisoni
(Applicant)

Sworn to before me this
28 day of Mar, 19 89.

JOHN BRIGANDI
Notary Public, State of New York
No. 31-4755149
Qualified in New York County
Comm. Exp. Feb. 28, 1990

[Signature]

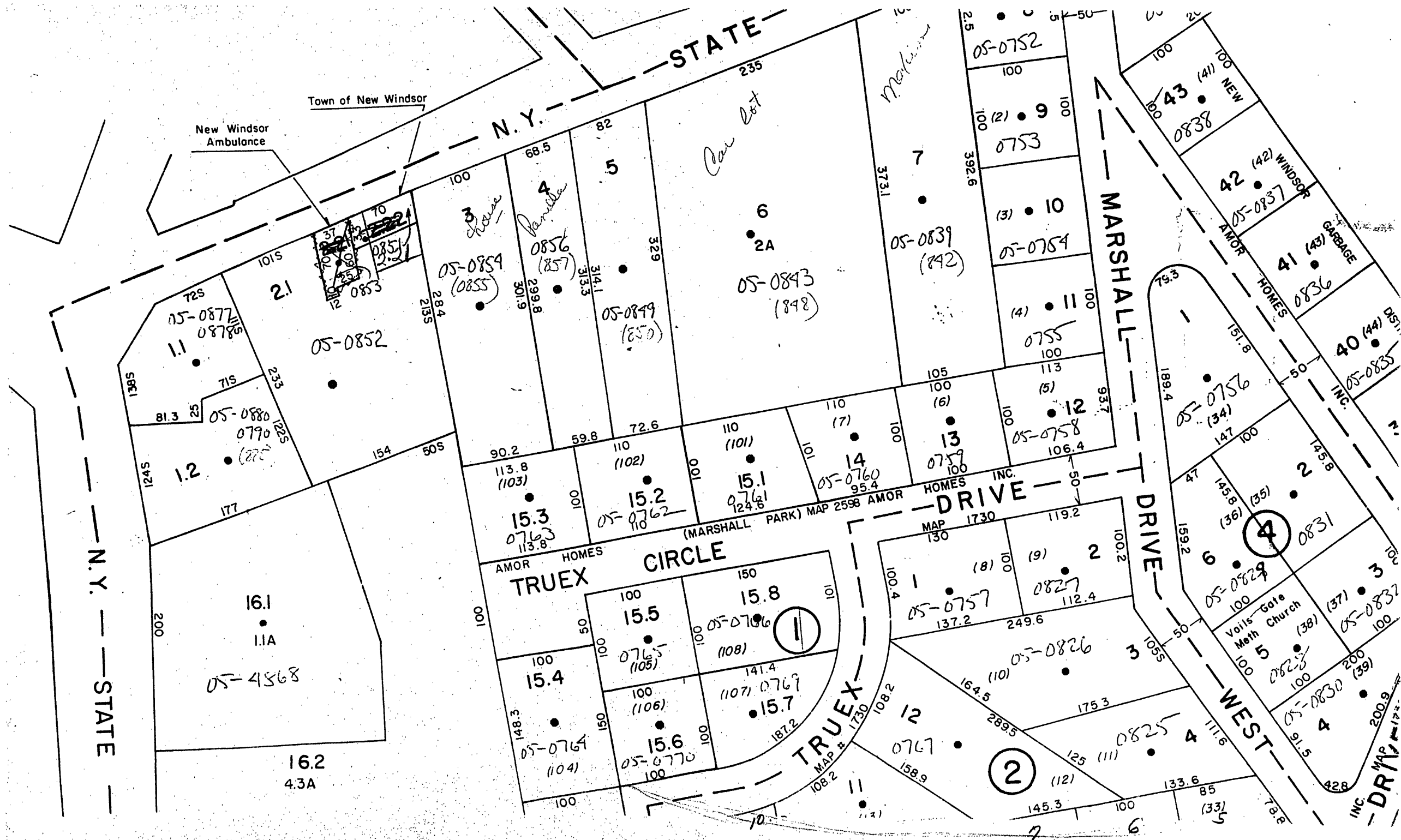
XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

5/8/89 - Public Hearing - Mars/Maximus - # 89-12

Name:	Address:
L. REYNOLDS ✓	4 TREX DRIVE
Walter Hartnagle ✓	
Col Lebus ✓	
JOE O'LAND ✓	10 Trex Dr.
JOHN BONSELL	4 MARSHALL DR. NEW WINDSOR
Ronald G. Edwards ✓	20 MARSHALL DRIVE NEW WINDSOR
Michael J. DRISCOLL ✓	18 Marshall Drive New Windsor



O.B. #88-50

Prelim.

3/27/89.-

89-12

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, N.Y.

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

File No. 88-50

Date 14 MARCH 1989

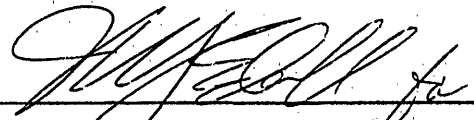
To: JUDY MARS & Fritz - owner: VG Maximus - Jos. Pisani -
PERRY CREEK ROAD
Washingtonville, N.Y. 10992

PLEASE TAKE NOTICE that your application dated 25 AUG 88
for (~~Subdivision~~ - Site Plan) _____
located at N.Y.S. Route 94 west of
Marshall Drive

is returned herewith and disapproved for the following reasons.

LOT AREA, LOT WIDTH, TOTAL SIDE YARD,
BUILDING HEIGHT Zone: C

70-1-7


Planning Board Chairman
CARL SCHIEFER

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>40,000 SF</u>	<u>39,520 SF</u>	<u>480 SF</u>
Min. Lot Width <u>200 FT</u>	<u>105 FT</u>	<u>95 FT</u>

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATIONFile No. 88-50Date 14 MARCH 1989

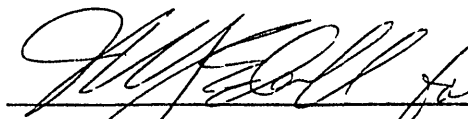
To: JUDY MARS + Fritz - owner: VG Maximus - Jos. Pisani -
PERRY CREEK ROAD
Washingtonville, N.Y. 10992

PLEASE TAKE NOTICE that your application dated 25 AUG 88
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 Planning Board Chairman
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<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>40,000 SF</u>	<u>39,520 SF</u>	<u>480 SF</u>
Min. Lot Width <u>200 FT</u>	<u>105 FT</u>	<u>95 FT</u>
Req'd Front Yd. <u>60 FT</u>	<u>82 FT</u>	<u>—</u>
Req'd. Side Yd. <u>30/70 FT</u>	<u>30/60 FT</u>	<u>0/10 FT</u>
Req'd. Rear Yd. <u>30 FT</u>	<u>12/10 FT</u>	<u>—</u>
Req'd. Street Frontage* <u>N/A</u>	<u>N/A</u>	<u>—</u>
Max. Bldg. Hgt. <u>4' / FT = 10 FT</u>	<u>123 FT</u>	<u>13 FT</u>
Min. Floor Area* <u>N/A</u>	<u>—</u>	<u>—</u>
Dev. Coverage* <u>N/A %</u>	<u>— %</u>	<u>— %</u>
Floor Area Ratio <u>0.5</u>	<u>.09</u>	<u>—</u>

* Residential Districts only

** Non-residential Districts only

CC: Zoning Board of Appeals ✓
 Mark Edsall, P.E., PR Eng'g
 Mike Babcock, Bldg. Insp

NEW WINDSOR ZONING BOARD OF APPEAL
Regular Session
March 27, 1989

(ZBA DISK#4-032789.ZBA)

MEMBERS PRESENT: JAMES NUGENT, CHAIRMAN
JOSEPH M. SKOPIN, V.C.
RICHARD FENWICK
JACK BABCOCK
LAWRENCE TORLEY

MEMBERS ABSENT: DANIEL P. KONKOL
VINCENT BIVONA

ALSO PRESENT: DANIEL S. LUCIA, ESQ.
Attorney for ZBA
PATRICIA A. BARNHART,
Secretary
MICHAEL BABCOCK, B.I.

The March 27, 1989 session of the Zoning Board of Appeals was called to order by Chairman James Nugent at 7:30 p.m. Roll call was taken by Secretary.

Motion followed by Joseph M. Skopin, seconded by Richard Fenwick, to accept minutes of the March 13, 1989 meeting as written. ROLL CALL: 5-0.

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PRELIMINARY MEETING:

MARS, FRITZ/V.G. MAXIMUS (OWNER) - Request for 480 s.f. lot area, 95 ft. lot width, 10 ft. sideyard, 13 ft. maximum building height for construction of retail autoparts store known as Headmasters, with storage area and warehouse to the rear located ~~at corner of~~ on Route 94 ~~and Marshall Drive~~ in the C (design shopping center) zone, adjacent to Mans property. Matter referred by Planning Board. Paul V. Cuomo, P. E. present representing applicant Mars.

Mr. Cuomo presented site plan for retail store and informed the Board that the existing building will be removed to make room for the new construction. Parking area was scaled to conform to the fire codes. Mr. Cuomo also stated that if a peaked roof is used, the maximum building height will be 23 ft.

Michael Babcock, B. I., was present and informed the Board that the Fire Inspector's Office found the site plans to be acceptable.

After reviewing plans for proposal, motion was made by Richard Fenwick, seconded by Lawrence Torley, to schedule a public hearing on the return of the completed paperwork, said paperwork to include rendering of proposed building, deed to property, size of proposed signs and photographs. ROLL CALL: 5-0.

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PRELIMINARY MEETING:

F & L CONSTRUCTION - Request for 1.8 ft. frontyard variance on existing one-family structure located on Beattie Road in an R-1 zone. Present: Bruce MacDonald, Esq. representing applicant.

Mr. MacDonald presented a layout of the colonial style structure with overhang which depicts the front corner of the building which does not conform to the bulk regulations.

After discussion, motion was made by Jack Babcock, seconded by Lawrence Torley, to schedule a public hearing on the return of the completed paperwork, said paperwork to include a deed to the property in question and photographs. ROLL CALL: 5-0.

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PRELIMINARY MEETING:

MID HUDSON ASSOCS. - Request for 1.8 ft. front yard and 12.5 ft. rear yard variances in order to obtain a Certificate of Occupancy for 203 Butterhill Drive in R-4 zone. Present: Bruce MacDonald, Esq. representing applicant.

Mr. MacDonald informed the Board that the structure was constructed in February 1987, and at that time, the previous Building Inspector was not considering the decks in the setback scheme. Mr. MacDonald also stated that the residence is not presently occupied pending the issuance of a C.O.

After review of plans, motion was made by Jack Babcock, seconded by Richard Fenwick, to schedule a public hearing on the return of the completed paperwork, said paperwork to include copy of deed and photographs. ROLL CALL: 5-0.

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*

PUBLIC HEARING:

HELMER/COLUMBIAN ART WORKS, INC. - Request for 19 ft. front yard, 10 ft. side yard, 10 ft. rear yard, 21 ft. 8 in. building height and 0.154 floor area ratio for purposes of construction of warehouse and office space located on Wembly Road in a PI zone. Present: Greg Shaw, P. E. of Shaw Engineering, Jeffrey Kildow of Columbian Art Works, Inc. and James R. Loeb, Esq. representing applicant, Columbian.

Mr. Shaw presented the following documentation:

1. Applications;
2. Affidavit of publication;
3. List from Assessor containing 33 names and addresses of adjacent property owners;

4. 30 return receipts (1 unclaimed);
5. Fee in the sum of \$50.00.
6. Copy of Deed to Helmer.
7. Correspondence from William Helmer Re: Authorization for applicant to apply for variances.
8. Received and filed - Correspondence from Anthony Granuzzo voicing opposition to application.

There were no spectators present for the public hearing.

Public hearing was recorded on Tape #190 on file in Secretary's office.

After the close of the public hearing, motion followed by Jack Babcock, seconded by Richard Fenwick, to grant application as referenced above in accordance with plans revised at the 3/13/89 preliminary meeting and amended notice of denial issued by the Building Inspector. ROLL CALL: 5-0.

* * *

CORRESPONDENCE RECEIVED:

Hearing no objection, the ZBA received and filed the following correspondence:

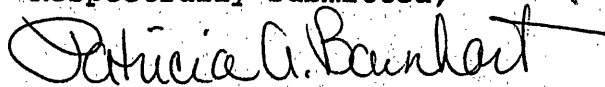
- (1) Copy of correspondence dated 3/16/89 directed to Supervisor Green from David Kintzer, Esq. Re: Mowery;
- (2) Copy of correspondence directed to Alan Lipman, Esq. from Joseph P. Rones, Esq. Re: Windsor Counseling Group.
- (3) Copy of correspondence dated 3/9/89 from Daniel S. Lucia, Esq. directed to Supervisor Green Re: Jane Tanner Request for Rezoning.

* * *

Since there was no other business to be conducted by the ZBA, motion was made by Lawrence Torley, seconded by Joseph M. Skopin, to adjourn.

Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,



PATRICIA A. BARNHART, Secretary



Louis Holmbach
County Executive

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by V. G. MAXMILL D P & D Reference No. NLOT 11-89M
TOWN OF NEW WINDSOR ZBA County I.D. No. 50 1 1 1 7

Applicant V. G. MAXMILL

Proposed Action: AREA VARIANCES TO PERMIT OPERATION OF A

State, County, Inter-Municipal Basis for 239 Review RETAIL AUTO PARTS STORE FRONTAL ADDRESS

Comments: NYS 94

MUST CONSIDER AMONG OTHER ISSUES THE
ADEQUACY OF THE SITE AND BUILDING TO
SUPPORT, MAINTAIN AND CONTAIN THE
USE(S) CONTEMPLATED AS PART OF THE
APPLICATION

Related Reviews and Permits _____

County Action: Local Determination ☒ Disapproved _____ Approved _____

Approved subject to the following modifications and/or conditions: _____

APRIL 25, 1989
Date

Peter Garrison
Commissioner

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 12

Request of V.G. MAXIMUS and FRITZ MARS

for a VARIANCE of
the regulations of the Zoning Local Law to
permit construction of retail autoparts store
to include storage area and warehouse

being a VARIANCE of
Section 48-12-Table of Use/Bulk Regs. Cols. C,D,F & I
for property situated as follows:

NYS Route 94 west of Marshall Drive, New
Windsor, N. Y. known and designated as tax map
Section 70-Block 1- Lot 7.

SAID HEARING will take place on the 8th day of
May, 1989, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

JAMES NUGENT
Chairman

Apache Associates
52 Elm Street
Huntington, N. Y. 11743

C. P. Mans
P. O. Box 247
Vails Gate, N. Y. 12584

Jamil Bahri
Jamal Motran
16 Academy Avenue
Chester, N. Y. 10918

Sylvia D'Ambrosio
% Emilio Panella
P. O. Box 573
Vails Gate, N. Y. 12584

William & Blanche Marshall
16 Marshall Drive
New Windsor, N. Y. 12550

Michael J. & Nancy L. Driscoll
18 Marshall Drive
New Windsor, N. Y. 12550

Ronald & Edna Edwards
20 Marshall Drive
New Windsor, N. Y. 12550

Benjamin Harris
P. O. Box 780
Cornwall, N.Y. 12518

Harold & Yvonne B. Abrams
P. O. Box 462
Vails Gate, N. Y. 12584

Larry Reynolds
4 Truex Drive
New Windsor, N. Y. 12550

John Barbaro
6 Truex Drive
New Windsor, N. Y. 12550

Edward F. & Jo Ann Lekis
P. O. Box 204
Vails Gate, N. Y. 12584

Joseph & Kathleen Orlando
10 Truex Circle
New Windsor, N. Y. 12550

Brian K. Vander Maas

12 Truex Circle
New Windsor, N. Y. 12550

Michael A. Fernandez
9 Truex Circle
New Windsor, N. Y. 12550

Salvatore & Carolina Tosco
7 Truex Circle
New Windsor, N. Y. 12550

Michael Bagarozzi
Grimalda Sanchez
18 Truex Circle
New Windsor, N. Y. 12550

Karl & Janet Koller
16 Truex Circle
New Windsor, N. Y. 12550

Walter T. & Patricia Hartnagel
14 Truex Drive
New Windsor, N. Y. 12550

Clarence & Zenobia Reed
3 Truex Drive
New Windsor, N. Y.

Raymond H. & Elizabeth Vail
30 Marshall Drive
New Windsor, N. Y. 12550

Howard C. & Margaret Q. Nevico
P. O. Box 92
Truex Circle
Vails Gate, N. Y. 12584

Joseph A. & Melody Zaccardi
11 Truex Drive
New Windsor, N. Y. 12550

Richard & Josephine Weed
2 Kearney Drive
New Windsor, N. Y. 12550

Frank J. & Rita Guiliano
4 Kearney Drive
New Windsor, N. Y. 12550

Dennis & Rose Ann Coakley
6 Kearney Drive
New Windsor, N. Y. 12550

Julian & Virginia Russell
15 Truex Drive

New Windsor, N. Y. 12550

John & Shirley Bonsell
4 Marshall Drive
New Windsor, N. Y. 12550

Bridge Road Realty Corp.
R. D. 1- Box 34, Route 94
Salisbury Mills, N.Y. 12577

Dorothy Bruner Gafford
8 Marshall Drive
New Windsor, N. Y. 12550

Vails Gate Methodist Church Inc.
% Treasurer
P. O. Box 37
Vails Gate, N. Y. 12584

David A. & Marie A. Worden
P. O. Box 134
Vails Gate, N. Y. 12584

833 Blooming Grove Tpk. Assocs.
833 Blooming Grove Tpk.
New Windsor, N. Y. 12550

Highland-Quassaick National Bank
& Trust Company
381 Broadway
Newburgh, N. Y. 12550

Mans & Miller Auto Centers, Inc.
P. O. Box 247
Vails Gate, N. Y. 12584

Joan A. Shedden
R. D. 2-Temple Hill Road
New Windsor, N. Y. 12550

Isamu Kimura
% Maiko Restaurant
P. O. Box 666
Vails Gate, N. Y. 12584

Vails Gate Fire Company
P. O. Box 101
Vails Gate, N. Y. 12584

B.

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION
(Variances, Zone Changes, Special Permits, Subdivisions)

Section A. - To be completed by Local Board having jurisdiction.
To be signed by Local Official.

Local File No. 89-12.

1. Municipality Town of New Windsor Public Hearing Date 5/8/89.

☐ City, Town or Village Board ☐ Planning Board ☐ Zoning Board of Appeals

2. Applicant: NAME V.G. Maximus / Mars, Jitz

Address Blooming Grove Trk. - W. of Marshall Dr., New Windsor

Attorney, Engineer, Architect Paul V. Cuomo, P.E.

3. Location of Site: Nys Rt. 94 - West of Marshall Dr.
(street or highway, plus nearest intersection)

Tax Map Identification: Section 70 Block 1 Lot 7

Present Zoning District C Size of Parcel 39,520 s.f.

4. Type of Review:

☐ Special Permit Use* _____

☒ Variance* Use _____

Area - See Aps. & attached plans.

☐ Zone Change* From: _____ To: _____

☐ Zoning Amendment* To Section: _____

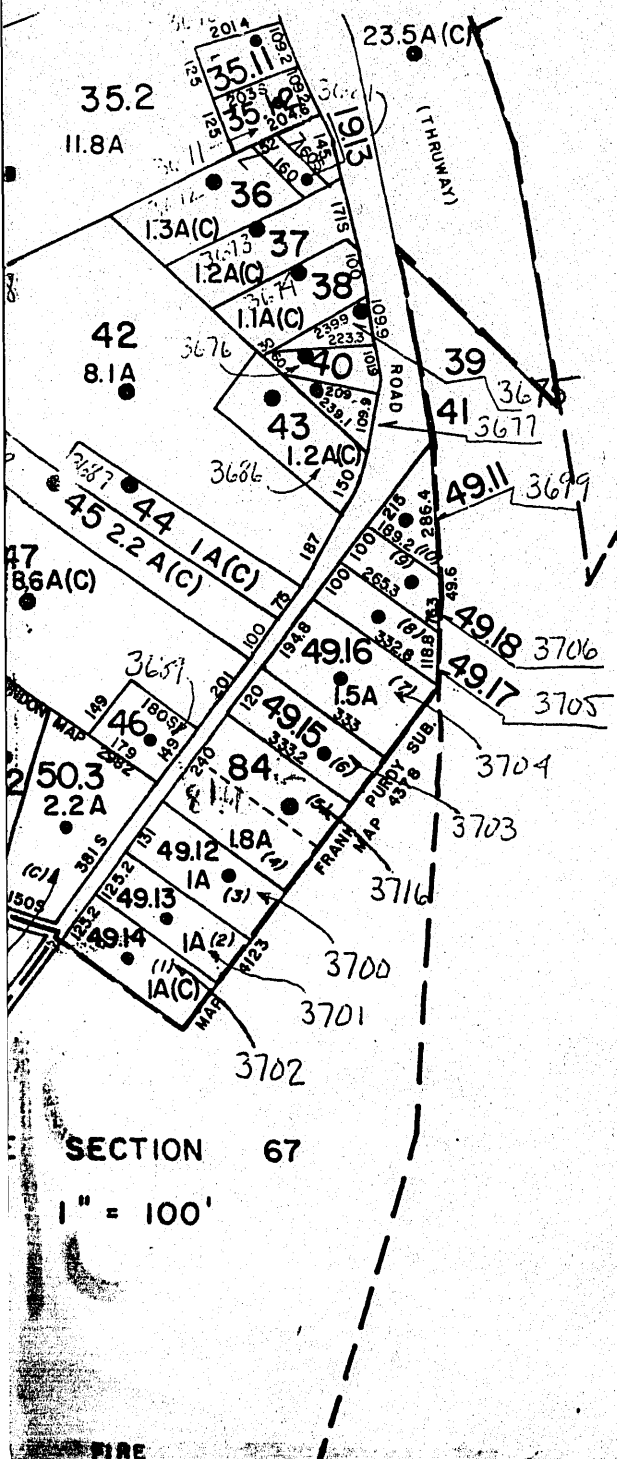
☐ Subdivision** Major _____ Minor _____

4/18/89.
Date

Patricia A. Bankhart, Secy
Signature and Title

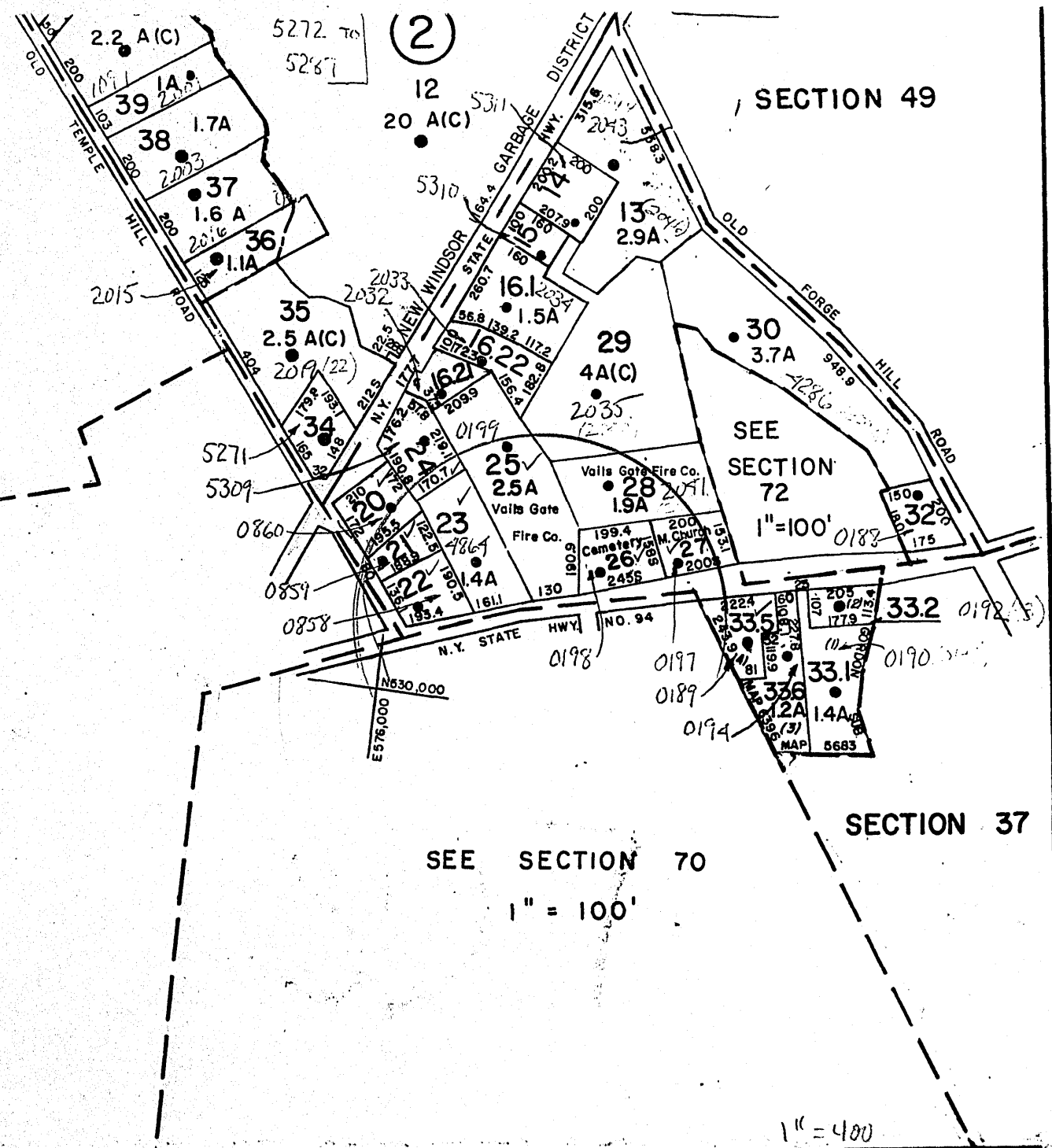
*Cite Section of Zoning Regulations where pertinent
**Three (3) copies of map must be submitted if located along County
Highway, otherwise, submit two (2) copies of map.

OCPD-1



SEE SECTION 68
1" = 100'

SEE SECTION 69
1" = 100'



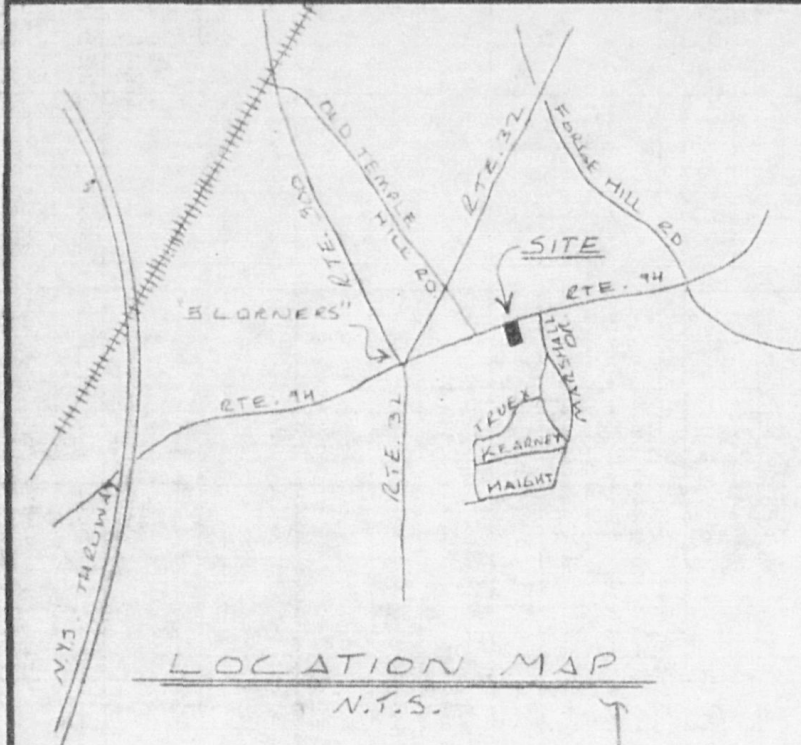
SEE SECTION 70
1" = 100'

SECTION 37

1" = 400'

DISTRICT

Sec. 65

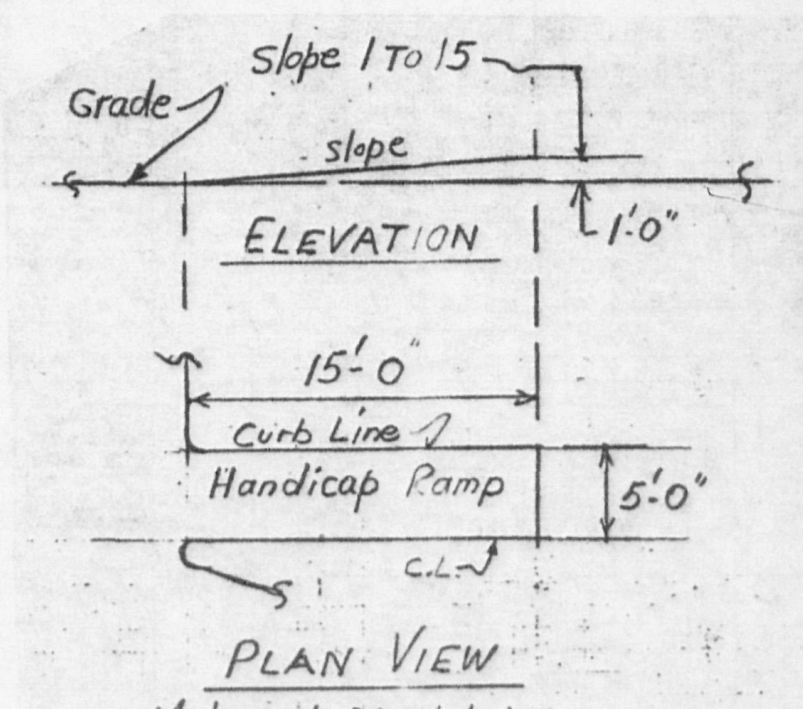
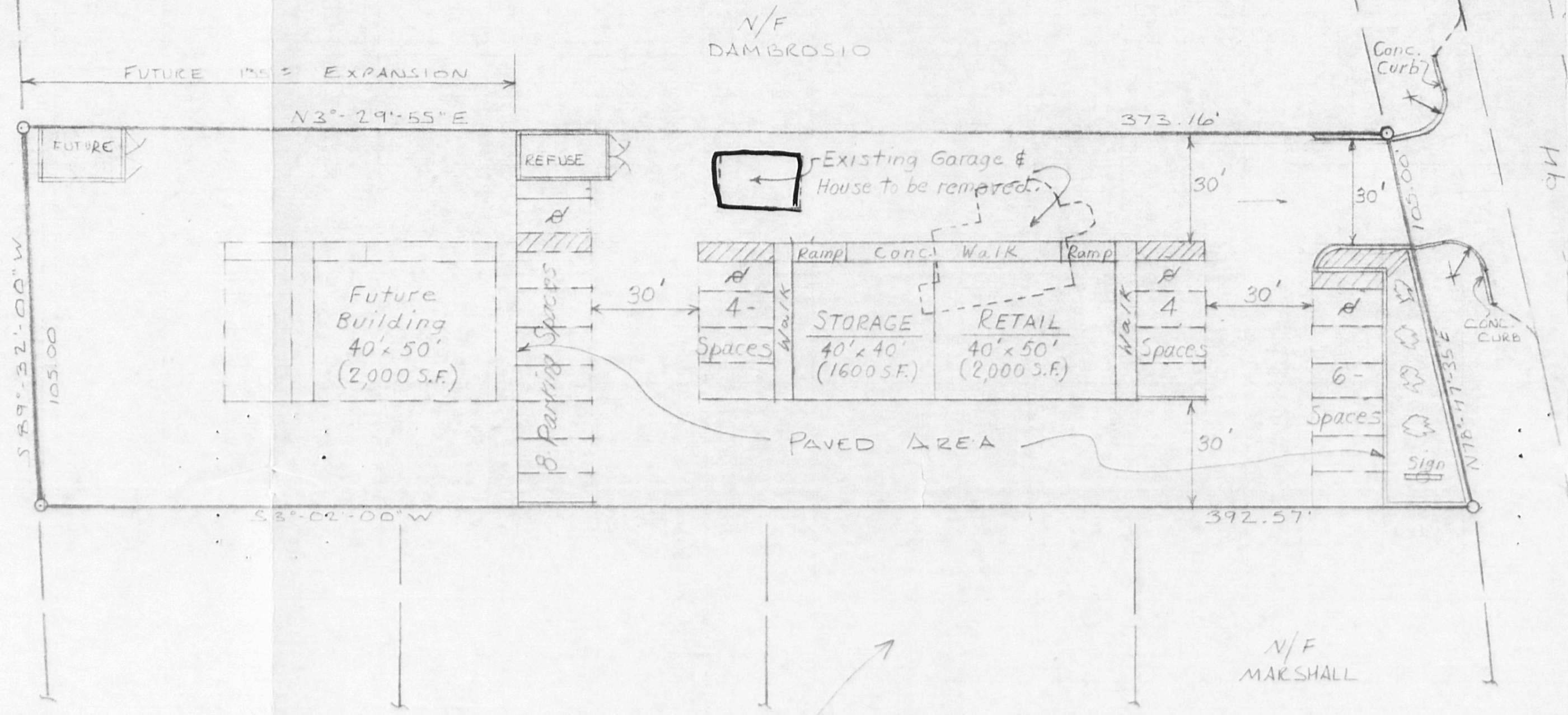


TAX MAP DATA
 SECTION = 70
 BLOCK = 1
 LOT = 7

ZONING DISTRICT = C

DESCRIPTION	MIN. REQ.	PROV.
LOT AREA	40,000 SF	39,520 SF
LOT WIDTH	200'	105'
FRONT YARD	60'	82'
ONE SIDE YARD	30'	30'
BOTH SIDES TOTAL	70'	65'
REAR YARD	30'	210'
STREET FRONTAGE	N/A	N/A
FLOOR AREA RATIO	0.5	0.09
DEVELOPMENT COV.	N/A	N/A

NOTE: MAX. BLDG. HEIGHT - 4" PER FOOT OF DISTANCE TO THE NEAREST LOT LINE.



DETAIL of HANDICAP RAMP
 (No Scale)

PARKING

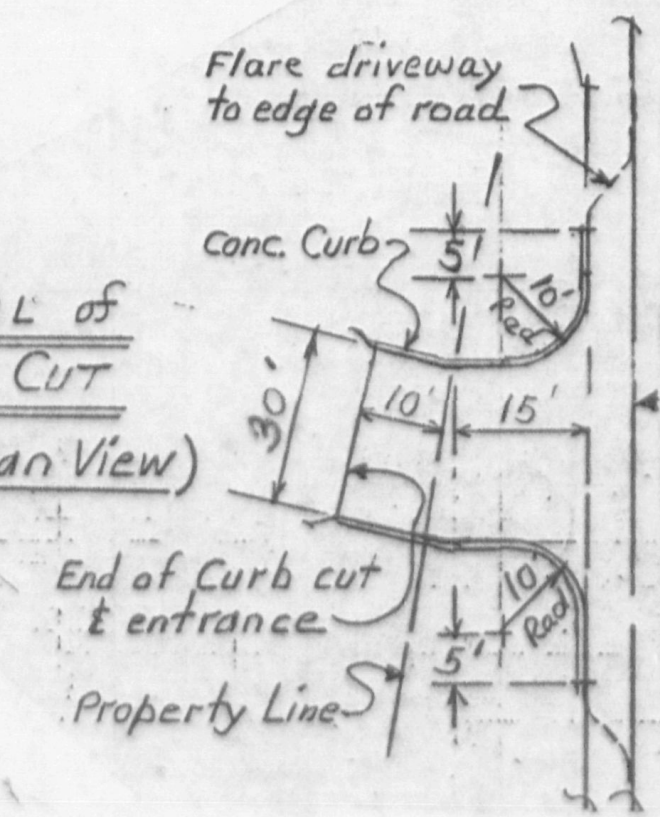
RETAIL STORES & SHOPS
 1 PER 150 SF OF FLOOR AREA
 $2000 \text{ SF} \div 150 = 8$

WAREHOUSE
 1 PER 1000 SF OF FLOOR AREA
 $1600 \text{ SF} \div 1000 = 2$

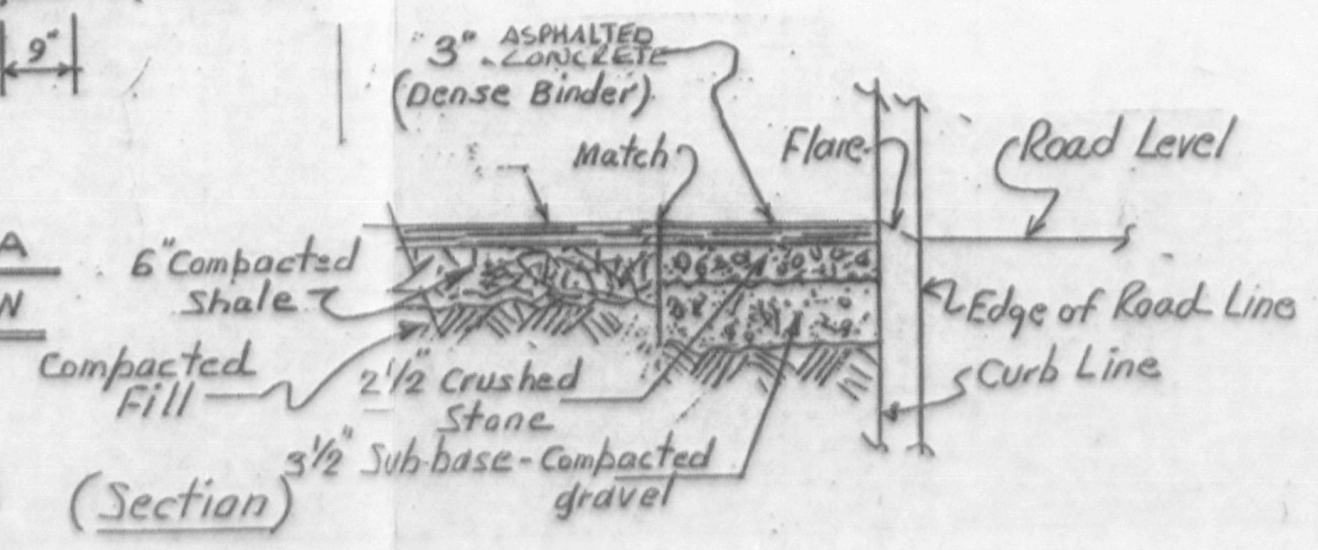
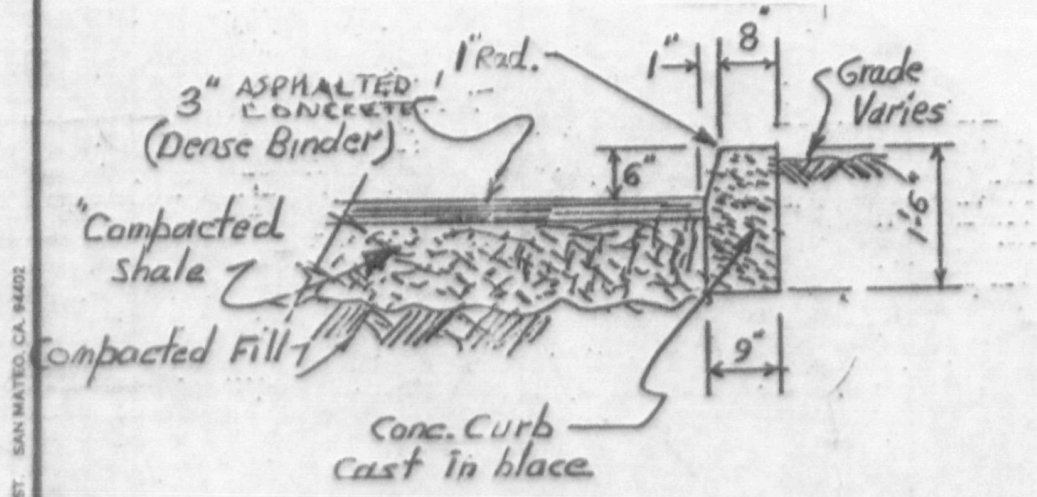
PARKING REQUIRED NUMBER OF SPACES: 10
 INCLUDING 1 HDLP

PARKING PROVIDED NUMBER OF SPACES: 18
 INCLUDING 4 HDLP

DETAIL of CURB CUT
 (Plan View)



DETAIL of PARKING AREA & DRIVEWAY - SECTION
 (No Scale)



PAUL V. CUOMO, P.E.
 571 UNION AVE NEW WINDSOR NY

SCALE 1/4" = 30'
 DATE 8/22/08

APPROVED BY
 FRITZ & JUDY MARS

DRAWN BY
 SITE PLAN #94

DRAWING NUMBER
 1061

STOCKDRAFTING FORM NO. 101-83